

## CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Robert Tanner	Team: Team # 5	CCRB Case #: 201002413	<input checked="" type="checkbox"/> Force	<input checked="" type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Monday, 02/22/2010 6:00 PM	Location of Incident: 1064 Hegeman Avenue	Precinct: 75	18 Mo. SOL 8/22/2011	EO SOL 8/22/2011	
Date/Time CV Reported Tue, 02/23/2010 8:51 AM	CV Reported At: CCRB	How CV Reported: Phone	Date/Time Received at CCRB Tue, 02/23/2010 8:51 AM		

Complainant/Victim	Type	Home Address

Witness(es)	Home Address

Subject Officer(s)	Shield	TaxID	Command
1. POM Scott Just	12018	897760	075 PCT
2. POM Daniel Barreto	29988	939904	075 PCT

Officer(s)	Allegation	Investigator Recommendation
A.POM Daniel Barreto	Force: PO Daniel Barreto used physical force against § 87(2)(b)	
B.POM Scott Just	Force: PO Scott Just used physical force against § 87(2)(b) and § 87(2)(b)	
C.POM Scott Just	Discourtesy: PO Scott Just spoke obscenely and/or rudely to § 87(2)(b)	

### Case Summary

The following complaint was filed with the CCRB via telephone by § 87(2)(b) on February 23, 2010. On February 22, 2010, at approximately 6:00 p.m., § 87(2)(b) and an unidentified individual were on the porch of § 87(2)(b)'s home, located at § 87(2)(b) in Brooklyn. § 87(2)(b) § 87(2)(b)'s mother, had also been on the porch and told § 87(2)(b) to leave before going into the house. § 87(2)(b) and § 87(2)(b) took marijuana away from the unidentified male because he was § 87(2)(b). Two officers then rushed to them and § 87(2)(b) kicked the marijuana away. They were described as a bald white male in plainclothes and a gray haired white male in plainclothes. They have been identified via investigation as PO Scott Just and PO Daniel Barreto. PO Barreto and PO Just pushed § 87(2)(b) who was pregnant, up against the door to the home (**allegation A** and **allegation B**). The door opened and struck § 87(2)(b) in the head. § 87(2)(b) fell to the ground with PO Just on top of her. PO Just pulled on § 87(2)(b)'s hooded sweatshirt, restricting her breathing and causing her to vomit blood (**allegation B**). Officers then placed § 87(2)(b) under arrest for kicking the marijuana away. He was handcuffed without incident and then punched in the left side of his face by PO Just (**allegation B**). § 87(2)(b) asked PO Barreto and PO Just for their shield numbers and they provided them. § 87(2)(b) was removed from the scene via ambulance. At the hospital, § 87(2)(b) told PO Just that what he did was unnecessary, and PO Just told her, "Shut up. You don't know shit." (**allegation C**).

§ 87(2)(b) identified PO Just by name and shield number when she filed her complaint. Her physical description matches his appearance in his personnel photograph and he was the arresting officer for § 87(2)(b) and § 87(2)(b). § 87(2)(b) provided PO Barreto's shield number and stated that his name was "Bawreto." ARCS confirm that PO Barreto was working with PO Just as part of the 73<sup>rd</sup> Precinct's SNEU team at the time of the incident.

§ 87(2)(g)  
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§ 87(2)(b) and § 87(2)(b) missed two appointments scheduled between March 16, 2009, and March 24, 2010. § 87(2)(b) was called five times and sent two letters between March 3, 2010, and March 22, 2010. He missed an appointment on March 18, 2010. Neither of the letters sent to him were returned by the USPS. A search of the NYC Department of Correction's inmate look-up system, performed on March 24, 2010, confirmed that none of them are currently incarcerated.

§ 87(2)(g)  
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Team: \_\_\_\_\_ :

Investigator: \_\_\_\_\_  
Signature \_\_\_\_\_ Print \_\_\_\_\_ Date \_\_\_\_\_

Supervisor: \_\_\_\_\_  
Title/Signature \_\_\_\_\_ Print \_\_\_\_\_ Date \_\_\_\_\_

Reviewer: \_\_\_\_\_  
Title/Signature \_\_\_\_\_ Print \_\_\_\_\_ Date \_\_\_\_\_

Reviewer: \_\_\_\_\_  
Title/Signature                      Print                      Date